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July 28, 2023


VIA ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

REQUEST GRANTED.

The Court permits Mr. Phillips to appear remotely at the upcoming oral argument on August 1, 2023 at 10:00 AM. Counsel will be provided zoom log-in information to which they will provide to Mr. Phillips to access the hearing.

7/28/2023 SO ORDERED.


LEWIS J. LIMAN
United States District Judge

Re: *United States of America v. Neil Phillips*, No. 1:22-cr-00138-LJL

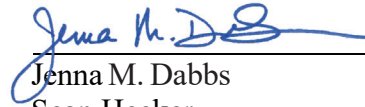
Dear Judge Liman:

We write on behalf of our client, Neil Phillips, regarding the oral argument on the pending motion to dismiss that is scheduled to take place on August 1, 2023 at 10:00 a.m.. See Not. of Hr'g (Jul. 14, 2023). For the reasons explained below, Mr. Phillips requests that the Court permit him to appear at the conference remotely, via videoconference or, in the alternative, by telephone.

Mr. Phillips currently resides in the United Kingdom subject to conditions of pretrial release that were agreed upon by the parties and ultimately approved by the Court. Dkt. Nos. 12, 13. Those conditions permit Mr. Phillips to travel only between the United Kingdom and the United States in connection with this case, and he requires the assistance of the government—which must work with its case agents and U.S. immigration authorities to issue a significant public benefit parole visa—in order to enter the country, including for purposes of appearing in this case. In the past, the process of obtaining necessary approvals has taken a number of weeks.¹ In order to ensure that the argument can proceed as scheduled without undue delay, Mr. Phillips requests that the Court permit him to waive his right to be present in person and instead appear remotely via videoconference, or by telephone, to the extent video is not available. The government does not oppose this request.

¹ The parties have already taken steps to coordinate, well in advance, Mr. Phillips's requested travel dates closer to the start of trial, and we appreciate the government's engagement and efforts in that regard.

Respectfully submitted,



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